

CASE

NUMBER:

99-040

INDEX FOR CASE: 99-040
MCI WORLDCOM
Complaints - Rates, Service
OF BEECHER W. DAWS

IN THE MATTER OF BEECHER W. DAWS VS. MCI WORLDCOM

SEQ NBR	ENTRY DATE	REMARKS
0001	02/02/99	Application.
0002	02/08/99	FINAL ORDER DISMISSING CASE



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 99-040
MCI WORLDCOM

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on February 8, 1999.

Parties of Record:

Telecom USA=MCI
P. O. Box 5001
Westfield, IN. 46074 5001

Beecher W. Daws
Route 6, Box 8025
Monticello, KY. 42633

Stephanie J. Bell
Secretary of the Commission

SB/sa
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BEECHER W. DAWS)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 99-040
)	
TELECOM USA)	
)	
DEFENDANT)	

O R D E R

Beecher W. Daws ("Complainant") filed a formal complaint against Telecom USA ("Telecom") on February 2, 1999. The Complainant alleges that he was improperly billed for phone calls he did not make to Grenada and the Dominican Republic. Mr. Daws claims that there is an international call block and a 900 call block on his service which prevents such calls, and he refuses to pay the associated charges for the calls. The Complainant requests that the charges be removed from his bill and that he not be charged for such calls in the future.

Commission regulation 807 KAR 5:001, Section 12(4), requires the Commission to review each formal complaint upon its filing to determine whether the complaint sets forth sufficient facts to establish a prima facie case. A prima facie case exists when, taking the facts set forth in the complaint as true, the Complainant is entitled to the relief requested. The Daws complaint fails to establish a prima facie case.

The charges in dispute are for direct-dialed calls to Grenada and the Dominican Republic. Because they are international in nature, the calls are beyond the jurisdiction

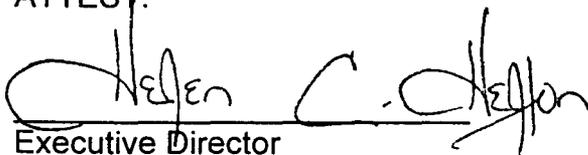
of the Commission. Pursuant to the Telecommunications Act of 1934, exclusive jurisdiction over international calls belongs to the Federal Communications Commission. The Daws complaint, therefore, fails to state a prima facie case because, even if the allegations are true, the Commission is without jurisdiction to grant the relief requested.

IT IS THEREFORE ORDERED that the Daws complaint is dismissed for failure to state a prima facie case.

Done at Frankfort, Kentucky, this 8th day of February, 1999.

By the Commission

ATTEST:


Executive Director

BJ

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Beecher W. DAWs
(Your Full Name)
COMPLAINANT
VS.
Telecom USA = MCI
(Name of Utility)
DEFENDANT

RECEIVED

FEB 2 1999

PUBLIC SERVICE
COMMISSION

Case 99-040

COMPLAINT

The complaint of Beecher Ward DAWs respectfully shows.
(Your Full Name)

(a) Beecher WARD DAWs
(Your Full Name)

Rt# 6 Box 8225 Monticello Ky.
(Your Address) 42633

(b) Telecom USA = MCI
(Name of Utility)

G.T.E. P.O. Box 5001 46074-5001
(Address of Utility)
Westfield, In. 46074-5001

(c) That: The calls by telecom USA we
(Describe here, attaching additional sheets if

did not make we have interhatson
necessary, the specific act, fully and clearly, or facts

Blockers + 900 Blockers this has
that are the reason and basis for the complaint.)

happened before. we Refuse to pay them,

Formal Complaint

Beecher Daws vs Telecom USA
(Your Name) (Utility Name)

Page 2

~~we~~ we are retired we do not make sex phone calls. But we need our phone because of heart conditions. And I am 61 years old do not need the stress of this.

Wherefore, complainant asks We request
(Specifically state the

Bills took off and no more
relief desired.)

at no time be put on our
phone again. because we
do not want make this calls.

Dated at monticello, Kentucky, this 1 day
(Your City)

of February, 1999
(Month)

Beecher Daws
(Your Signature)

(Name and address of attorney, if any)



TELEPHONE NUMBER 606 348-4164 970724
 ACCOUNT NUMBER 207870023475344703
 STATEMENT ENDING Dec 7, 1998

PAGE 9 OF 12

COMMUNICATIONS SERVICES (continued)

Billing for MCI WorldCom

MCI WORLD COM.

Billing
 questions call
 1 800 483-3300

The following charges appear on your GTE bill as a service to MCI WorldCom.
 Direct your billing questions to the phone number in the yellow border of
 this page.

MCI WORLD COM REGULATED SERVICE

Direct Dialed Calls

Date	Time	Place called	Number called	Period	Min.	
1 Nov 11	8:57 pm	Grenada	4734737373	Std	10	22.77
Total						\$ 22.77

Grenada

TAXES AND FEES ON REGULATED SERVICES

2 Federal excise tax at 3.00%	.68
3 State surcharge	.14
Total	\$.82

MCI WorldCom Other Messages \$ 23.59

MCI WorldCom regulated service charges \$ 23.59

Total for MCI WorldCom \$ 23.59

800-749-9600
~~264-1000~~
 800-494-3333



TELEPHONE NUMBER 606 348-4164 970724
ACCOUNT NUMBER 207870023475344703
STATEMENT ENDING Jan 7, 1999

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Billing
questions call
1 800 483-3300

COMMUNICATIONS SERVICES (continued)

Billing for Telecom*USA

Telecom★USA
a subsidiary of MCI

The following charges appear on your GTE bill as a service to Telecom*USA.
Direct your billing questions to the phone number in the yellow border
of this page.

TELECOM*USA REGULATED SERVICE

Direct Dialed Calls

Date	Time	Place called	Number called	Period	Min.	
1 Nov 28	11:43 am	220DOMINIC	7674478500	Disc	22	26.40
2 Dec 2	8:40 pm	220DOMINIC	7674478500	Std	41	49.20
3 Dec 4	11:30 pm	220DOMINIC	7674478500	Econ	28	33.60
4 Dec 9	8:25 pm	220DOMINIC	7674478500	Std	33	39.60
Total						\$ 148.80

Charges on this page are for operator assisted calls you made using a separate operator services company. They were forwarded to GTE for billing. If you have questions concerning this billing, please call the number listed on page one.

TAXES AND FEES ON REGULATED SERVICES

5 Federal excise tax at 3.00%	4.48
6 State tax at 6.00%	.04
7 State surcharge	.65
Total	\$ 5.17

*Telecom*USA regulated service charges* \$ 153.97

Total for Telecom*USA \$ 153.97

*Richard
FCC*

1-800-277-7558



TELEPHONE NUMBER 606 348-4164 970724
 ACCOUNT NUMBER 207870023475344703
 STATEMENT ENDING Dec 7, 1998

PAGE 11 OF 12

Billing questions call
 1 800 483-3300

COMMUNICATIONS SERVICES (continued)

Billing for Telecom*USA

Telecom★USA
a subsidiary of MCI

*Net work Access
 \$49.30*

The following charges appear on your GTE bill as a service to Telecom*USA. Direct your billing questions to the phone number in the yellow border of this page.

TELECOM*USA REGULATED SERVICE

Direct Dialed Calls

Date	Time	Place called	Number called	Period	Min.	
1 Nov 11	9:07 pm	220GRENADA	4734737373	Std	24	30.24
2 Nov 15	10:36 am	220DOMINIC	7674478500	Disc	17	20.40
3 Nov 19	7:40 pm	321DOMINIC	7674478500	Std	5	9.40
4 Nov 19	8:02 pm	220DOMINIC	7674478500	Std	31	37.20
5 Nov 21	1:59 pm	220DOMINIC	7674478500	Disc	5	6.00
6 Nov 21	2:07 pm	220DOMINIC	7674478500	Disc	13	15.60
7 Nov 26	7:38 pm	220DOMINIC	7674478500	Std	40	48.00
Total						\$ 166.84

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FEB 2 1999

PUBLIC SERVICE COMMISSION

Charges on this page are for operator assisted calls you made using a separate operator services company. They were forwarded to GTE for billing. If you have questions concerning this billing, please call the number listed on page one.

TAXES AND FEES ON REGULATED SERVICES

8 Federal excise tax at 3.00%	5.01
9 State surcharge	.73
Total	\$ 5.74

Telecom*USA regulated service charges

\$ 172.58

Total for Telecom*USA

\$ 172.58

*Federal Commission
 copies*

*7.C.C.
 202-632-7553
 555-225-5322*

1-800-955-5444

*17258
 259*

Mike (George)